

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION

NO. 5:16-CR-74-3D

UNITED STATES OF AMERICA )  
v. )  
ERVIN MONTEZ ALSTON, JR. )

## ORDER OF FORFEITURE

WHEREAS, pursuant to the entry of a Memorandum of Plea Agreement entered into by the defendant on September 12, 2016, the following property is hereby forfeitable as a firearm used in a knowing violation of 18 U.S.C. § 924(c)(1)(A), to wit, a Sig-Sauer Model SP2340, .40 caliber firearm, Serial Number SP0014690, and any and all accompanying ammunition;

AND WHEREAS, by virtue of said Memorandum of Plea  
Agreement, the United States is now entitled to possession of  
said personal property, pursuant to Fed. R. Crim. P. 32.2(b)(3);

It is hereby ORDERED, ADJUDGED and DECREED:

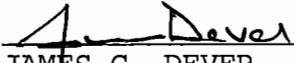
1. That based upon the Memorandum of Plea Agreement as to the defendant ERVIN MONTEZ ALSTON, JR., the United States is hereby authorized to seize the above-stated personal property, and it is hereby forfeited to the United States for disposition in accordance with the law, including destruction, as allowed by

Fed. R. Crim. P. 32.2(b)(3). In accordance with Fed. R. Crim. P. 32.2(b)(4)(A), this Order is now final as to the defendant.

2. That upon sentencing and issuance of the Judgment and Commitment Order, the Clerk of Court is directed to incorporate a reference to this Order of Forfeiture in the applicable section of the Judgment, as required by Fed. R. Crim. P. 32.2(b)(4)(B).

The Clerk is hereby directed to send copies of this Order to all counsel of record.

SO ORDERED. This 16 day of December, 2016.

  
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JAMES C. DEVER, JR.  
Chief United States District Judge